

Practitioner's Docket No. P50533-03



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martin Burnham, et al.

PATENT

1652
#9
11/20/98

RECEIVED

NOV 16 1998

GROUP 1800

Serial No.: 08/896,589

Group No.: 1652

Filed: July 17, 1997

Examiner: Stole, E.

For: Novel Xanthine
Phosphoribosyl Transferase

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.56

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Heather S. Richman
Signature

Date: November 10, 1998

Heather S. Richman
(type or print name of person certifying)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.56**

Applicants herein make available to the Patent and Trademark Office copies of the references, listed on Form PTO-1449 (PTO-2), in accordance with 37 CFR 1.98(a)(2).

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of this application. It is believed that the Examiner will concur with Applicant's belief that the foregoing references do not adversely affect the patentability of the subject matter presently claimed, taken alone or in combination.

It is requested that the listed references be included in the "References Cited" portion of any patent issuing from this application.

Under 37 CFR 1.97(i), Applicants understand that non-complying Supplemental Information Disclosure Statements will be placed in the file but not considered by the Office, however, under Reply to Comment 8 of the Federal Register, page 2024, Applicants will be informed when information is not considered.

(1) This Supplemental Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 CFR 1.491 of the international application.
- ☐ before the mailing date of a first Office Action on the merits.
- ☒ after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action under 37 CFR 1.116 or a Notice of Allowance under 37 CFR 1.311, and accordingly is accompanied by:
 - ☒ the Statement under 37 CFR 1.97(e) (see "Statement" below);
 - or**
 - ☐ the Fee of \$240.00 set forth in 37 CFR 1.17(p); or
 - ☒ No fee is owed by the applicants.
- ☐ after the mailing date of a Final Office Action under 37 CFR 1.116 or a Notice of Allowance under 37 CFR 1.311, and accordingly is accompanied by the Statement under 37 CFR 1.97(e), a Petition requesting consideration of the Supplemental Information Disclosure Statement and the Petition Fee of \$130.00 set forth in 37 CFR 1.17(i)(1) (see "Statement," "Petition," and "Fees" below).

(2) **Statement**

- ☒ The **undersigned attorney** hereby states that each item information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Supplemental Information Disclosure Statement.

(If this box is checked, do not check any further Statement boxes.)

or

- ☐ The **person signing immediately below** hereby states that no item of information contained in the Supplemental Information Disclosure was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Supplemental Information Disclosure Statement.

The person making the statement is:

- ☐ the inventor(s) who sign(s) below:

Signature of the Inventor(s)

Typed or Printed Name of the Inventor(s)

or

- ☐ a person who is substantively involved in the preparation or prosecution of the application, and who is associated with the inventor(s), or with the assignee, or with anyone to whom there is an obligation to assign the application (37 CFR 1.565(c)) and who signs below:

Signature of the Person(s)

Typed or Printed Name of the Person

Address of Person Signing

or

☒ the undersigned attorney who signs on the basis of the information:

☐ supplied by the inventor(s).

☒ supplied by an individual designated in 37 CFR 1.56(c).

☒ in the attorney's file.



Signature of the Attorney

(3) Petition

☐ Applicants hereby petitions the Assistant Commissioner to consider the references listed in this Supplemental Information Disclosure Statement and on the enclosed Form PTO-1449, in the examination of the above-identified patent application.

(4) Fees

☒ No Fee is owed by the applicants.

☐ The IDS Fee of \$240.00 under 37 CFR 1.17(p) is enclosed herewith.

☐ The Petition Fee of \$130.00 under 37 CFR 1.17(i)(1) is enclosed herewith.

(5) Method of Payment of Fees

☐ Attached is a check in the amount of \$_____.

☐ Charge Account No. 50-0258 in the amount of \$_____. (A duplicate of this request is attached).

(6) Authorization to Charge Additional Fees

☐ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 50-0258.

(7) Instructions as to Overpayment

☐ Please credit Account No. 50-0258 for any overpayment.

☐ Please refund Dechert Price & Rhoads in the amount of \$_____.

A prompt and favorable response is earnestly solicited.

Date: November 10, 1998

Registration No.: 40,605

Phone No: 215/994-2643

Respectfully submitted,



ANDREW L. FISH
Attorney for Applicants
Dechert, Price & Rhoads
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1717 Arch Street
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PATENT

Docket No. P50533-03

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Group Art Unit: 1652
	:	
Martin Burnham, et al.	:	Examiner: Stole, E.
	:	
Serial No.: 08/896,589	:	SUPPLEMENTAL INFORMATION
	:	DISCLOSURE STATEMENT
Filed: July 17, 1997	:	
	:	
Title: Novel Xanthine	:	
Phosphoribosyl Transferase	:	
	:	
	:	

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

List Of Sections Forming Part Of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. Preliminary Statements
2. Form PTO - 1449 (Modified)
3. Copies of Listed Information Items Accompanying This Statement
4. Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 3. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed accompany this information statement. [Exceptions to this include items in prior application(s) from which an earlier filing date is claimed for this application as identified in Section 4 and cumulative patents or publications identified in Section 5.]

Section 4. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is the attorney who signs below on the basis of information supplied by the inventor and on information in the attorney's file.

Date: November 10, 1998

Registration No.: 40,605

Phone No: 215/994-2643



ANDREW L. FISH
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